

KEVIN V. RYAN (CASBN 118321)
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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
RELIANT ENERGY SERVICES, INC.,
JACKIE R. THOMAS,
V. REGINALD HOWARD II,
LISA L. FLOWERS, and
J. KEVIN FRANKENY,
Defendants.

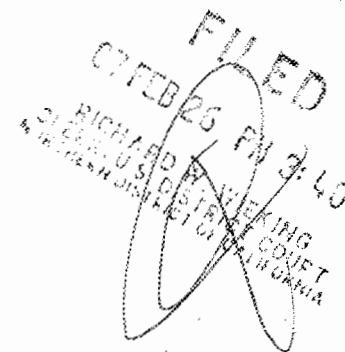
No. CR 04-0125 VRW

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME

This matter came before the Court on August 22, 2006 for a status conference. Counsel for the United States and for each defendant appeared at the hearing. Individual defendants Jackie Thomas, V. Reginald Howard, Lisa Flowers, and Kevin Frankeny were not present, each having filed a written waiver of his or her right to be present at the hearing.

At the hearing, at the request of counsel for all defendants, and without objection from the government, the Court set the trial in this matter for March 12, 2007. Counsel for defendant Reliant explained on the record that the company's trial counsel, Mr. Goodman and Mr. Jeffress,


STIPULATION AND [PROPOSED] ORDER
CR 04-0125 VRW



1 were unavailable until that date based on substantial trials scheduled to commence on September
 2 11, 2006 and January 8, ²⁰⁰⁷ ~~2006~~, respectively. Counsel for the government and for the defendants
 3 agreed that the exclusion of time between August 22, 2006 and March 12, 2007 was appropriate
 4 under the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(8)(A) and (h)(B)(ii)
 5 and (iv), based on the continuing complexity of this matter and the need to avoid unreasonably
 6 denying the defendants continuity of counsel. The parties agree that the ends of justice served by
 7 granting the requested continuance outweigh the best interest of the public and the defendant in a
 8 speedy trial. Each of the defendants so stipulates by his or her signature below.

9
 10 Dated: August 22, 2006

KEVIN V. RYAN
 United States Attorney

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 13 HAYWOOD S. GILLIAM, JR.
 14 KESLIE STEWART
 15 MICHAEL LI-MING WANG
 16 BLAKE D. STAMM
 Assistant United States Attorneys

17 Dated:

18 WILLIAM M. GOODMAN
 Attorney for Defendant Reliant Energy Services

19
 20 Dated:

21 On behalf of Reliant Energy Services
 22 Defendant

23
 24 Dated:

25 GEORGE COTSIRILOS
 Attorney for Defendant Jackie Thomas

26
 27 Dated:

28 JACKIE THOMAS
 Defendant

were unavailable until that date based on substantial trials scheduled to commence on September 11, 2006 and January 8, 2006, respectively. Counsel for the government and for the defendants agreed that the exclusion of time between August 22, 2006 and March 12, 2007 was appropriate under the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(8)(A) and (h)(8)(ii) and (iv), based on the continuing complexity of this matter and the need to avoid unreasonably denying the defendants continuity of counsel. The parties agree that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. Each of the defendants so stipulates by his or her signature below.

Dated: August 22, 2006

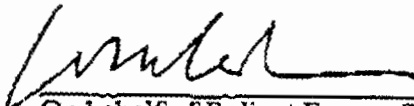
KEVIN V. RYAN
United States Attorney

HAYWOOD S. GILLIAM, JR.
KESLIE STEWART
MICHAEL LI-MING WANG
BLAKE D. STAMM
Assistant United States Attorneys

Dated: 8/23/06


WILLIAM M. GOODMAN
Attorney for Defendant Reliant Energy Services

Dated: 8/23/06


On behalf of Reliant Energy Services
Defendant

Dated:

GEORGE COTSIRILOS
Attorney for Defendant Jackie Thomas

Dated:

JACKIE THOMAS
Defendant

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5 and (iv), based on the continuing complexity of this matter and the need to avoid unreasonably
6 denying the defendants continuity of counsel. The parties agree that the ends of justice served by
7 granting the requested continuance outweigh the best interest of the public and the defendant in a
8 speedy trial. Each of the defendants so stipulates by his or her signature below.

9
10 Dated: August 22, 2006

KEVIN V. RYAN
United States Attorney

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12
13 HAYWOOD S. GILLIAM, JR.
14 KESLIE STEWART
15 MICHAEL LI-MING WANG
16 BLAKE D. STAMM
Assistant United States Attorneys

17 Dated:

WILLIAM M. GOODMAN
Attorney for Defendant Reliant Energy Services

18
19
20 Dated:

On behalf of Reliant Energy Services
Defendant

21
22
23
24 Dated: 8/17/06

George Cotserilos
Attorney for Defendant Jackie Thomas

25
26
27 Dated: 8/14/06

Jackie R. Thomas
JACKIE THOMAS
Defendant

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STIPULATION AND [PROPOSED] ORDER
CR 04-0125 VRW

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3 Dated:

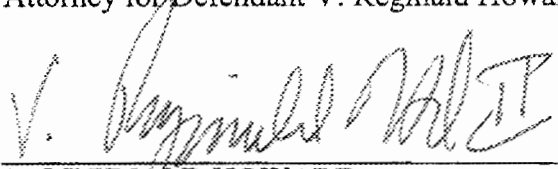
8/31/06


MARY McNAMARA

Attorney for Defendant V. Reginald Howard II

4
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6 Dated:

8/31/06


V. REGINALD HOWARD
Defendant

7
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9
10 Dated:

NANCI CLARENCE

Attorney for Defendant Lisa L. Flowers

11
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13 Dated:

LISA L. FLOWERS
Defendant

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JOHN L. WILLIAMS

Attorney for Defendant J. Kevin Frankeny

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21 Dated:

J. KEVIN FRANKENY
Defendant

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Dated:

MARY McNAMARA
Attorney for Defendant V. Reginald Howard II


Dated:

V. REGINALD HOWARD
Defendant

Dated: 8/23/04


NANCI CLARENCE
Attorney for Defendant Lisa L. Flowers

Dated: 08/30/06


LISA L. FLOWERS
Defendant

Dated:

JOHN L. WILLIAMS
Attorney for Defendant J. Kevin Frankeny

Dated:

J. KEVIN FRANKENY
Defendant

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Dated:

MARY McNAMARA
Attorney for Defendant V. Reginald Howard II

Dated:

V. REGINALD HOWARD
Defendant

Dated:

NANCI CLARENCE
Attorney for Defendant Lisa L. Flowers

Dated:

LISA L. FLOWERS
Defendant

Dated:

8-24-06

JOHN L. WILLIAMS
Attorney for Defendant J. Kevin Frankeny

Dated:

J. KEVIN FRANKENY
Defendant

For the foregoing reasons, and those discussed on the record at the August 22, 2006 status conference, and good cause appearing, the Court HEREBY ORDERS that trial in this matter will commence on March 12, 2007, with a pretrial conference to be held on February 14, 2007. The Court further ORDERS the period between August 22, 2006 and March 12, 2007 excluded from the speedy trial calculation under Title 18, United States Code, Sections 3161(h)(8)(A) and (h)(B)(ii) and (iv). The Court finds exclusion appropriate based on the continuing complexity of this matter and the need to avoid unreasonably denying the defendants continuity of counsel. The Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases.


HONORABLE VAUGHN R. WALKER
United States District Judge

DATED: 16 FEB 2007